

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

COSTANOAN INDIAN RESEARCH INC., ET

AL.

Plaintiff(s)

-vs-

MARLENE RITA MACHADO

Defendant

**1:22-CV-01319**

WITNESS AFFIDAVIT OF CARY  
PETERSON IN SUPPORT OF  
PLAINTIFF'S DOC. 32 MOTION FOR  
LEAVE, JUNE 29, 2022

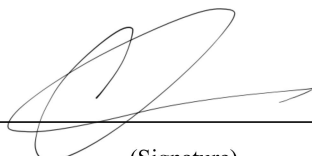
**AFFIDAVIT**

I, CARY PETERSON, of SAN JOSE, California, MAKE UNSWORN OATH AND SAY THAT:

1. I declare that I am presently Chief of Legal Affairs and Compliance (In-house Counsel) of Costanoan Indian Research Inc. ("CIR"), a registered 501(c)(3) non-profit organization, and Tribal Council of Chualar-Costanoan Indian Nation of Indian Canyon ("Tribe"), with a headquarters at Indian Canyon Ranch, 1 Indian Canyon Road, Hollister, California, primarily owned and held by the Indian Canyon Chualar Tribe of the Costanoan-Ohlone People. I was appointed this corporate/tribal title on or about February 28, 2022. Moreover, I have served as a CIR-Tribe volunteer and board advisor since in or about 2021 [see D.I. #1-8].
2. I declare that I am a registered lobbyist at United States Congress under 2 U.S.C. 1601-1609 et seq. (LDA) [Senate LID No. 401103650; House LID No. 42916], hold a doctorate degree of law on intergovernmental affairs and international diplomacy (UNAug) per U.S. District Court records from unrelated cases, have studied law at Harvard University, and have worked as a executive manager at a law and lobbying firm known as Robert Peterson & Fields Associates PC since in or about November 2014. And presently I am a student at Harvard University studying law among online, hybrid, or extension courses.
3. I declare that any testimonial evidence [ D.I. 24], or oral pleading(s) or expert witness testimony [D.I. 25], in this Court, for this civil action, are fact and true to the best of my knowledge.
4. I declare that since in or about April 2022, I have been in communication with the Bureau of Indian Affairs, law enforcement officials of San Benito County, California (e.g., Sheriff, District

Attorney), and other federal and state agencies (e.g., California Attorney General; USPS Postal Inspector), concerning criminal offenses committed by Defendant Machado, while within Indian Canyon tribal land) limits, or at healthcare treat centers where tribal members of the Costanoan-Chualar Indians of the Sayers's family were temporarily living.

5. **[Federal jurisdiction claimed by Bureau of Indian Affairs:]** I declare that on June 29, 2022, I spoke with San Benito County's deputy district attorney, Mr. Barton on the phone concerning the removal of Defendant Marlene Machado from Indian Canyon limits. In this call Mr. Barton told me that Bureau of Indian Affairs had previously contacted his office, telling them that BIA preserved claim to federal jurisdiction on any matter concerning the tribal community or tribal land of Indian Canyon located within San Benito County of California. This acknowledgment of federal agency jurisdiction on this was likewise to what I was told by Mr. Barton's office in or about May 2022, prior to the instant case being filed by Plaintiff Sayers-Roods. This country's district attorney stated that they would not assist Tribal Council or Plaintiff Sayers-Roods to remove Defendant Machado from Indian Canyon until BIA confirmed that they have voluntarily dismissed, administratively closed, or terminated, action against Defendant Machado for criminal offenses or tort relative to Plaintiff Sayers-Roods, Plaintiff's tribal community of Indian Canyon, or Plaintiff's mother Ann-Marie Sayers.
6. I declare that "EXHIBIT A" is a copy of an email message and official letter to Bureau of Indian Affairs sent on behalf of Costanoan-Chualar Indian Tribal Community of Indian Canyon, dated June 29, 2022. This official correspondence acknowledged BIA's particular interest in the criminal or civil matters relative to the instant case's subject matter and Plaintiff's verified complaints, whereby caused state-county officials to administratively stay or close legal action against Defendant Machado; and refusal to assist Tribal Council to remove Machado from Indian Canyon without a court order.
7. **[Federal jurisdiction claimed by USPS Postal Inspector *in supra*. ECF Doc. No. 16-3:]** I declare my acknowledgment of the USPS Postal Inspector preserving claim to federal jurisdiction on directly related subject matter in nexus with the instant case and an administrative complaint filed in June 2022 by Plaintiff Sayers-Roods.
8. On this 29th day of June, 2022, I, Cary Lee Peterson, declare and submit the foregoing as true and correct, under penalty of perjury and in lieu of oath under 28 U.S.C. 1746.



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(Signature)

CARY PETERSON